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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CIRCA, INC.,

Plaintiff,

-against-

MEL BERNIE & CO., et al

Defendants.

07 Civ. 10265 (RMB)

ORDER OF DISCONTINUANCE

In view of the various extensions previously granted by this Court and in light of the parties' various statements that they are negotiating a settlement agreement, it is hereby

ORDERED, that the above-entitled action be, and the same hereby is, discontinued; provided, however, that within twenty-one (21) days of the date of this Order, the Plaintiff or Defendants may apply by letter showing good cause why this action should be restored to the calendar of the undersigned.

Defendants' Motion to Change Venue [Dkt. # 14] is denied as moot (without prejudice), and the Clerk is respectfully requested to close this case.

SO ORDERED.

Dated: New York, New York
March 21, 2008

RMB

Richard M. Berman, U.S.D.J.